

U.S. DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

MICHAEL BAEZ

MICHAEL MALONEY, ET. AL.

CA. #05-11045-GAO

PLAINTIFFS MOTION TO
COMPEL PRODUCTION OF
DOCUMENTS

FILED
CLERKS OFFICE
2006 NOV 24 P 1:52
U.S. DISTRICT COURT
DISTRICT OF MASS.

NOW COMES THE PLAINTIFF, MICHAEL BAEZ
ON THE ABOVE ENTITLED HEADING PURSUANT
TO FED. R. CIV. PROC. 34, REQUESTING THAT THIS
HONORABLE COURT ORDER THE DEFENDANTS TO
PROVIDE HIM WITH THE LISTED DOCUMENTS
HEREIN WITHIN A 30 DAY PERIOD SO
THAT HE MAY PROCEED WITH HIS DISCOVERY.

DEFENDANTS HAVE FAILED TO RESPOND TO
HIS (PLAINTIFFS) REQUEST DATED 8-23-06 (SEE
ATTACHED).

1. ANY & ALL POLICIES & CMRS RELATING
TO FORCED MOVES.

2. ALL STAFF INCIDENT REPORTS
WRITTEN IN REGARDS TO THE FORCED
EXTRACTION OF PLAINTIFF ON 6-26-02.

3. COPY OF THE SPECIAL MANAGEMENT UNIT'S RULES & REGULATIONS.

4. COPY OF ALL PHOTOGRAPHS TAKEN BY I.P.S. PERTAINING TO THE INCIDENT ON 6-26-02, TO INCLUDE PHOTOGRAPHS OF PLAINTIFF, HIS CELL AND THE UNIT.

5. COPY OF INVENTORY LIST OF ITEMS REMOVED FROM PLAINTIFF'S CELL DURING AND AFTER THIS EXTRACTION.

6. COPY OF ALL I.P.S. INTERVIEWS OF INMATES INCLUDING PLAINTIFF & INFORMANTS.

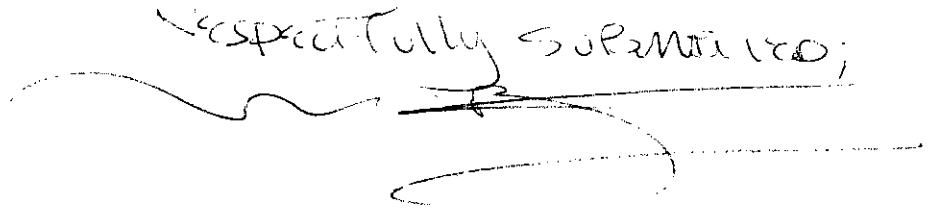
7. COPY OF PLAINTIFF'S COMPLETE MEDICAL RECORD.

8. COPY OF ALL VIDEO & AUDIO TAKEN/RECORDED DURING & AFTER EXTRACTION ON PLAINTIFF ON 6-26-02.

9. COPY OF ALL PERSONAL STAFF'S AND MEDICAL STAFF'S NAMES, RECORDS, BACKGROUNDS, TRAINING & ALL OTHER INFORMATION ON STAFF PRESENT DURING & AFTER THIS EXTRACTION TO INCLUDE PERSONAL INFORMATION.

10. Copy of CAU Defendants
Complete Personal/Professional File
IN REGARDS TO THEM BEING DISCIPLINED,
REPRIMANDED & INVESTIGATED FOR PAST
ALLEGATIONS OF ABUSE UPON INMATES AND
FOR THIS INCIDENT (PLEASE INCLUDE
RESULTS)

11. Copy of RESULTS of INTERNAL
INVESTIGATION DONE IN REGARDS TO
THIS INCIDENT WHICH WAS ORDERED BY
PRESENTMENT COORDINATOR SUSAN GARET
ON 6-7-04 (SEE ATTACHMENT #12).

Respectfully Submitted;


Michael Baez #W69027
120 Box 100
S. Walpole, MA
02071-0100

Date: 11/21/06

Certificate of Service

I, Michael Baez, hereby certify
on this 21st day of Nov~~er~~, I have served
upon Doc Counsel Margaret Melville a
copy of the foregoing by 1st class
mail.

Michael Baez 069027
PO Box 100
So. Walpole, MA
02071-0100

D. MARGARET McWILLIE
 LEGAL COUNSEL
 LEGAL INVESTIGATION
 70 FRANKLIN ST. SUITE 100
 BOSTON, MA 02110-1200

Re: Discovery

BREX V. NATIONAL GUARDIAN

8/23/06

USDC CS-1045

Dear Mr. McWILLIE:

THIS IS A REQUEST FOR
 discovery pursuant to the local federal discovery
 Rule.

I UNDERSTAND THAT DUE TO THE VOLUMINOUS
 AMOUNTS OF MAIL COMING IN AND OUT OF THE
 INSTITUTION THAT SOME IS CAPABLE OF BEING
 LOST INadvertently. THEREFORE I AM RE-STATEING
 MY ORIGINAL REQUEST FOR DISCOVERY DATED 11-20-05

PLEASE FOR ONE THE FOLLOWING AVAILABLE
 TO ME WITHIN 20 DAYS OF RECEIPT.

1. Any & all policies & charts
 relating to forced moves.

2. All staff incident reports
 written on laptops to the federal
 EXTRACTION OF PLAINTIFF ON 4-26-06.

3. Copy of THE SPECIAL MANAGEMENT UNIT'S Rules & Regulations.

4. Copy of ALL photographs taken by JPS pertaining to the UNLAWFUL (forced extraction) ON 6-26-02, TO INCLUDE PHOTOGRAPHS OF PLAINTIFF, HIS CELL AND THE UNIT.

5. Copy of INVENTORY LIST of items removed from PLAINTIFF'S cell DURING AND AFTER THIS EXTRACTION.

6. Copy of ALL JPS INTERVIEWS OF INMATES, INCLUDING PLAINTIFF, AND INFORMANTS.

7. Copy of PLAINTIFF'S COMPLETE MEDICAL RECORDS.

8. Copy of ALL VIDEO & AUDIO Taken/RECORDED DURING & AFTER EXTRACTION ON PLAINTIFF ON 6-26-02

9. Copy of ALL PERSONAL STAFFS AND MEDICAL STAFFS NAMES, RECORDS, BACKGROUNDS, TRAINING & ALL OTHER INFORMATION ON STAFF PRESENT DURING & AFTER

THIS EXTRACTION. (INCLUDE PERSONAL INFORMATION)

10. Copy of All Defendants' Complete Personal/Professional -file in Records to them being: Disciplinary, Recommended &/or Investigated for past allegations of abuse upon inmates and for the incident. (Please include results)

11. Copy of Results of INTERNAL INVESTIGATION DONE IN REGARDS TO THIS INCIDENT WHICH WAS ORDERED BY PRESENTMENT COORDINATOR SUSAN GRATA FROM THE ATTORNEY GENERAL'S OFFICE ON JUNE 7TH, 2004.

Thank you for your time and assistance in this request.

Respectfully,

Michael Berez #009021
PO Box 100
So. Walpole, MA
01971-0100

Certificate of Service

I, Michael Baez, hereby certify
on this 23 day of August, I have
served upon DC ROBERT MELVILLE a
true copy of the foregoing. By 1st
class mail.

MICHAEL BAEZ ^{WE9027}
PO BOX 100
So. Walpole, MA
02071-0100



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108-1598

THOMAS F. REILLY
ATTORNEY GENERAL

(617) 727-2200
www.ago.state.ma.us

June 7, 2004

Nancy A. White
General Counsel
Department of Correction
70 Franklin Street, Suite 600
Boston, Massachusetts 02110-1300

Re:	Claim of:	Michael Baez (W-69027)
	Presentment Letter Dated:	May 6, 2004
	Date Of Incident:	June 26, 2002

Dear Attorney White:

I am enclosing the presentment letter referenced above which we received in this Office on May 10, 2004.

Would you please investigate this claim and notice this Office of the results in accordance with the Attorney General's Presentment Procedures for Agencies of the Commonwealth. (June 30, 2001). Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Gaeta".

Susan Gaeta
Presentment Coordinator
(617) 727-2200 x 3343

Enclosures
cc: Michael Baez